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SIPDIS

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SUBJECT: MONTENEGRIN INDEPENDENCE REFERENDUM NOTES: TALKS  
AGREE ON MONITORING MECHANISMS- WEEK 4

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REF: Belgrade 0143

11. (U) Summary: Expert-level talks opened January 31, and quickly reached agreement that the EU, COE, OSCE, and OSCE/ODHIR will be invited to monitor the referendum campaign and vote. The sides are still far apart on financing and rules for media coverage, and talks on those subjects will continue February 6. EU Envoy Lajcak called the GoS to engage the GoM on post-referendum issues, a call that was quickly rejected by advisors to Serbian PM Kostunica. Ambassador Polt will meet with Montenegrin leaders February 8 (his previously scheduled visit was delayed after the train crash January 23). End summary.

#### Monitoring Agreed

12. (U) Expert-level talks opened January 31, discussing monitoring, financing, and media coverage of the referendum campaign. By February 1, the two blocs had already agreed on international monitoring, and specified that the EU, COE, OSCE, and OSCE/ODHIR will be invited to monitor the referendum campaign and vote.

#### Blocs Still Far Apart on Media, Finance

13. (U) Despite long sessions, the blocs' experts remain far apart on rules for media coverage of the campaign and financing for the campaign. The pro-Independence (GoM) bloc generally supports a focus on transparency (a view shared by the private media in respect of their actions). The pro-Union (opposition) bloc is looking for stringent legal controls on both media and financing; the private media has objected that new media laws would impinge on press freedoms guaranteed by recent legal reforms. The talks will resume February 6.

#### Political Talks Continue, Sotto Voce

14. (U) Ambassador Lajcak continued high-level political discussions on January 31 and February 1. After meeting with Lajcak, President Vujanovic announced his readiness to delay the proposed February 7 session of Parliament. Vujanovic had said that he would request the Parliament to initiate the referendum on that date, the earliest date after the expiration of the Constitutional Charter's three-year moratorium on independence. Vujanovic will make the decision to delay or not on February 6, telling Lajcak he would opt for delay if that would facilitate agreement in the talks. The length of the delay is unclear, with Vujanovic's chef de cabinet telling post that it would be "no more than three or four days" -- but later unconfirmed media speculations said the rescheduled session would be on February 28.

15. (U) Paralleling the expert talks, the pro-Union bloc has held onto their "demand" for a "national unity" government or, failing that, positions in the security services and in (non-existent) media control boards. Lajcak indicated no movement away from his earlier rejection of such demands (ref).

#### Lajcak Lectures Government of Serbia

16. (U) Appearing on Montenegrin TV February 1, Lajcak criticized the GoS for refusing to discuss Serbia-Montenegrin relations post-referendum, while it allows the Serbian Justice Minister to repeatedly assert that Montenegrins in Serbia will lose all rights if Montenegro becomes independent. Lajcak reiterated those statements February 2 in addressing the OSCE Permanent Council in Vienna. An advisor to Serbian President Tadic agreed with Lajcak's proposal, but advisors to Serbian PM Kostunica sharply rejected the idea, saying Lajcak had exceeded his mandate.

#### Majority Question in Background

17. (SBU) Per Lajcak's ordering of the agenda for the talks, no focused discussion of the majority that will be needed to approve independence was held. Media speculation is rampant, however, and has increasingly focused on requiring

55 percent of votes cast to approve independence, so long as the threshold of 50 percent of all registered voters cast votes. UK Ambassador Gowan told post that his talks January 30 with both blocs showed broad acceptance of the 55 percent requirement, although the opposition (pro-Union) bloc is unwilling to state that publicly.

#### EU Ministerial Council Recognizes Referendum Right

8.(U) In their January 30 meeting, attended by Lajcak, the EU Council of Ministers reiterated previous positions on the referendum. They recognized the right of Montenegro to hold the referendum, reiterating support for the December report of the Venice Commission on referendum standards. It also called on "all political forces in Montenegro to cooperate" and "refrain from unilateral actions that might reduce the chances of success in the dialogue."

#### Comment

19. (SBU) The international community continues to urge both blocs to stay committed to the dialogue - a point stressed by the UK and French Ambassadors in visits to Podgorica January 30. For the pro-Independence bloc, that means showing flexibility - Vujanovic's offer to delay the February 7 parliamentary session is (one) step in that direction. For the pro-Union bloc, it is simply sticking with the talks and recognizing that Lajcak is first and foremost a mediator, not an arbitrator. For now at least, the opposition shows no indication that it will publicly agree on the key issue of the majority needed to approve independence (although they might acquiesce to an "imposed" standard), a conundrum to which the EU has the main key. End comment.

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